REMARKS

Applicant thanks the Examiner for the careful consideration given to this application. Reconsideration is now respectfully requested in view of the amendment above and the following remarks.

Claims 1-19 are pending in this application. Claims 1, 3 and 5 are independent claims. Claims 17-19 have been added and are supported by the specification as originally filed, e.g., at paragraphs 95 and 105-108. Reconsideration and allowance of the present application are respectfully requested.

Claim Rejections Under 35 U.S.C. §103

At pages 2-8 of the Office Action, Claims 1-8 and 12-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2006/0101262 to Haney (hereinafter "Haney") in view of U.S. Patent No. 6,631,417 to Balabine (hereinafter "Balabine"). At pages 8-9 of the Office Action, Claims 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Haney and Balabine as applied to Claims 1, 3 and 5 above, and in further view of U.S. Patent No. 6,708,218 to Ellington et al. (hereinafter "Ellington et al."). These rejections are respectfully traversed for at least the following reasons.

Claim 1 includes the recitation of "bridge means in a data link layer for allowing data, which has been received with one of the plurality of ports and then on which the encrypting or decrypting process has been performed, to be outputted as it is from another port without any routing process at a network layer being performed." Claim 3 similarly recites, "bridge means in the data link layer for passing the encrypted data or decrypted data to the data link layer and the physical layer without passing said data to a network layer in which routing between networks is controlled." Claim 5 similarly recites, "outputting the encrypted data or decrypted data from a second one of the plurality of ports of the encryption/decryption apparatus through the physical layer and bridge means in the data link layer of the encryption/decryption apparatus to a second network or terminal coupled to the second one of the plurality of ports, without passing said data to a network layer in which routing is controlled." The Office Action, at pages 3, 4, and 5, asserts that Haney teaches these claims elements, particularly, the lack of routing, in paragraphs

40 and 49. Applicants respectfully disagree with this characterization of Haney. In particular, the cited portions of Haney specifically describe how the disclosed firewall adds or strips IP addresses. This affects routing and corresponds to an implementation of at least a portion of the network layer within the firewall. Hence, it cannot be said that these portions, or any other portion of Haney of which Applicants are aware, corresponds to these claim elements. Applicants also have not found any teachings or suggestions in either of the other applied references that would remedy these deficiencies of Haney.

Applicants further note that the Office Action, at pages 3, 4, and 6, further asserts that "Balabine teaches a bridge (in a data link layer) that implements a firewall (col. 3, lines 45-56)." Applicants note that neither the cited section of Balabine, nor any other section of Balabine, discusses that the bridge of Balabine is implemented in the data link layer. All that Balabine discloses is that the bridge implements a firewall; Balabine is silent as to what network layers are implemented in the bridge. Hence, Balabine cannot be relied upon to teach that the bridge is "in the data link layer," as in the claims.

For at least these reasons, it is respectfully submitted that Claims 1, 3, and 5, as well as Claims 2, 4, and 6-19, which depend from them, are allowable over the cited references.

Additionally, Claims 9-11 all recite that "data transmission processes are carried out in layers lower than the network layer." The Office Action, at page 8, asserts that Balabine teaches this element of Claims 9-11. However, as noted above, Balabine is altogether silent as to what protocol layers are implemented where. Furthermore, also at page 8, the Office Action asserts that Ellington et al., at col. 7, lines 31-45, teaches shifting "what is normally processed on the network layer onto the data link layer." However, Ellington et al. does not contain any such general teaching. On the contrary, Ellington et al. specifically states, "By moving the layer-3 determination of whether a receive frame is an IP frame requiring IPSec processing, from the network layer into the data link layer and placing these frames on a separate receive queue, system performance can be significantly enhanced." This is stating that one particular function is shifted into the data link layer, in a specific system; it is not a general teaching that all network layer processing is or may be shifted to the data link layer, nor is it a teaching that routing is thus shifted. Therefore, Applicants respectfully submit that neither of these references, alone or in

combination, teaches or suggests all of the elements of Claims 9-11 and that these claims are allowable for these further reasons.

New Claims

As noted above, new Claims 17-19 have been added. These claims depend from Claims 1, 3, and 5, respectively, and recite that a network address of the data received for processing is not changed. This is in contrast with, for example, Haney, in which an IP address is changed during processing (see, for example, Haney at paragraph 40, discussing adding or stripping IP addresses). Applicants respectfully submit that these claims are allowable over the cited references for at least the reasons noted above, as well as for this further reason.

Disclaimer

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

CONCLUSION

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-01102-US1 from which the undersigned is authorized to draw.

Dated: November 4, 2009

Respectfully submitted,

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